

CCRB INVESTIGATIVE RECOMMENDATION

Investigator: Griffin Sherbert	Team: Squad #7	CCRB Case #: 202003846	<input type="checkbox"/> Force	<input checked="" type="checkbox"/> Discourt.	<input type="checkbox"/> U.S.
			<input type="checkbox"/> Abuse	<input type="checkbox"/> O.L.	<input type="checkbox"/> Injury
Incident Date(s) Monday, 06/01/2020 6:00 PM	Location of Incident: in front of 38 6th Avenue	Precinct: 78	18 Mo. SOL 12/1/2021	EO SOL 5/4/2022	
Date/Time CV Reported Wed, 06/03/2020 10:07 AM	CV Reported At: CCRB	How CV Reported: On-line website	Date/Time Received at CCRB Wed, 06/03/2020 10:07 AM		

Complainant/Victim	Type	Home Address
[REDACTED]	[REDACTED]	[REDACTED]
[REDACTED]	[REDACTED]	[REDACTED]

Subject Officer(s)	Shield	TaxID	Command
1. POM Officers			

Officer(s)	Allegation	Investigator Recommendation
A.POM Officers	Discourtesy: Officers spoke discourteously to an individual.	[REDACTED]

Case Summary

On June 3, 2020, § 87(2)(b) filed the following complaint via the CCRB's online complaint form (BR01).

On June 1, 2020, at approximately 6:00 p.m., § 87(2)(b) stood outside of her ex-boyfriend's residence, § 87(2)(b) in Brooklyn, waiting to pick up her daughter. After collecting her daughter, § 87(2)(b) witnessed an unidentified male exit her ex-boyfriend's residence. The unidentified male shouted at a group of unidentified uniformed officers congregating around a marked NYPD van, and two officers allegedly shouted back and called the unidentified male "an asshole" (**Allegation: Discourtesy—Word,** § 87(2)(g)).

The investigation's requests for Body-Worn Camera ("BWC") footage were returned with negative and irrelevant results, respectively (BR02 & BR03), and no other video evidence exists in this case.

Findings and Recommendations

Allegation A—Discourtesy: Officers spoke discourteously to § 87(2)(b)

On June 1, 2020, at approximately 6:00 p.m., § 87(2)(b) (BR04) drove to her ex-boyfriend's residence at § 87(2)(b) in Brooklyn, to pick up her daughter. However, when § 87(2)(b) arrived, she was unable to enter the block due to NYPD barricades and officers blocking 6th Avenue. After several minutes of explaining to the officers at the barricades that she regularly picks up her daughter from 38 6th Avenue, the officers let § 87(2)(b) enter the block.

As § 87(2)(b) stood § 87(2)(b) she noticed several officers congregating near a marked NYPD van parked near the middle of the block. After a few minutes, § 87(2)(b)'s daughter came out. Seconds later, an unidentified black male exited the building, and shouted at the group of officers who were near the NYPD van to leave the block, and called them "assholes." Two white male officers from the group shouted back at the black male, and told him that they have "every right to be here," and called him an "asshole." § 87(2)(b) walked away from the area with her daughter, and did not know what, if anything, further transpired between the individual and the officers. There is no record in the CCRB's Complaint Tracking System showing that the male who interacted with the officers filed a complaint about this incident.

§ 87(2)(b) described one of the officers as an older white male, who was bald but with hair on sides of his head, and described the other officer as younger white male, and both were dressed in uniform. § 87(2)(b) was unable to provide any further description of the officers.

As noted above, investigation's two requests for any BWC capturing this incident were returned with negative and irrelevant results, respectively (BR02 & BR03).

The investigation obtained the 78th Precinct EVENT Summary (BR05) and Resource Recap Log (BR06) from the date, time, and location of the incident, however, none of the EVENTS listed occurred at the incident location, and none of the 78th Precinct Patrol Sectors responded to any related job. The investigation also obtained the 78th Precinct Tour 2 and Tour 3 Roll Calls (BR07) and the 78th Precinct Command Log (BR08) for the incident date. The 78th Precinct Roll Calls list approximately 85 officers as working or completing their shift during the date and time of the incident, and the Command Log does not list any apparently related pickup arrests, conditions, or civilian complaints.

§ 87(2)(g)

Civilian and Officer CCRB Histories

- This is the first CCRB complaint in which § 87(2)(b) has been a party.

Squad No.: 7